

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

03 MAY 28 PM 3:04

JIMMY ANTOINE GRAHAM, )  
)  
Movant, )  
) CV-03-J-0168-S  
vs. )  
)  
UNITED STATES OF AMERICA, )  
)  
Respondent. )

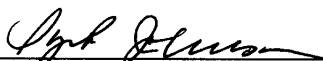
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*asl*  
MAY 28 2003

MEMORANDUM OPINION

This case was transferred to this court from the United States District Court for the Northern District of Georgia, Newnan Division, for the limited purpose of determining whether the movant in this §2255 action requested that his attorney file an appeal. A magistrate judge in this court conducted an evidentiary hearing and entered a report and recommendation, finding that the movant did not instruct his attorney to file an appeal. No objections have been filed.

The court, having considered the entire file in this action, together with the Magistrate Judge's Report and Recommendation, and having read the transcript of the evidentiary hearing, has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. An appropriate order will be entered.

DONE this 28 day of May, 2003.

  
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INGE I. JOHNSON  
UNITED STATES DISTRICT JUDGE

8